

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

v.

VICTOR TORRES-GALINDEZ,
Defendant.

CRIMINAL NO. 97-082-39 (SEC)

**REQUEST FOR DISCOVERY PURSUANT TO
RULE 32.1 OF FEDERAL RULES OF CRIMINAL PROCEDURE**

HON. SALVADOR E. CASELLAS
UNITED STATES DISTRICT JUDGE
FOR THE DISTRICT OF PUERTO RICO

COMES NOW Mr. Victor Torres-Galindez, the defendant herein, represented by the Federal Public Defender for the District of Puerto Rico, and before this Honorable Court respectfully states and prays as follows:

1. The undersigned represented the above-captioned defendant in revocation proceedings held before Your Honor on November 4, 2003. On or about April 14th 2005 the undersigned received copy of a Motion Notifying Violations to Conditions of Release and Request for the Issuance of an Arrest Warrant and Order to Show Cause Hearing (Docket number 3260). The motion lists a number of offenses alleged to have been committed between the dates of April 1st and April 9th, 2005.

2. *Federal Rule of Criminal Procedure 32.1 (a)(2)(B)* provides that a person whose term of supervised release is to be revoked has the right to "disclosure of the evidence against the person." It should be noted that the Rule itself does not specify when that disclosure is to be made. In the interest of preparing to effectively represent

the defendant, as well as expediency, it is respectfully requested that the probation officer provide counsel with the following information:

- a) Copies of any and all documents pertaining to the defendant's criminal charges at the state level in the Probation Officer's possession.
- b) Any and all other information directly related to the reasons for revocation that the U.S. Probation Office included in their motion.

3. It is respectfully requested that an order be issued by this Honorable Court in which it order the Probation Officer to provide the information requested by defendant.

WHEREFORE it is respectfully requested that the information sought by defendant pursuant to *Federal Rule of Criminal Procedure 32.1(a)(2)(B)* be provided.

RESPECTFULLY REQUESTED.

In San Juan, Puerto Rico, April 25th, 2005.

JOSEPH C. LAWS, JR.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 25th , 2005 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to counsel for the government, U.S. Attorney H.S. García, and the U.S. Probation Office (Damarys Tellado).

At San Juan, Puerto Rico, this 25th day of April, 2005.

JOSEPH C. LAWS, JR
Federal Public Defender
District of Puerto Rico

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